

Russell D. Garrett, OSB #882111
russell.garrett@jordanramis.com
Daniel L. Steinberg, OSB #993690
daniel.steinberg@jordanramis.com
JORDAN RAMIS PC
Two Centerpointe Dr., 6th Floor
Lake Oswego, Oregon 97035
Telephone: (503) 598-7070
Facsimile: (503) 598-7373

Attorneys for Lillian Logan, Cornell Rd LLC,
Christiana LLC, and Alexander LLC

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF OREGON

In re

15005 NW Cornell LLC; and
Vahan M. Dinihanian, Jr.,

Debtors.

Bankruptcy Case Nos.:

19-31883-dwh11 (Lead Case)

19-31886-dwh11

Jointly Administered Under
Case No. 19-31883-dwh11

LOGAN PARTIES' OBJECTION TO
DEBTOR'S APPLICATION TO
EMPLOY SPECIAL PURPOSE
COUNSEL (Arbaugh Law)

Creditors and Interested Parties Lillian Logan, Cornell Rd LLC, Christiana LLC, and Alexander LLC (collectively the "Logan Parties"), by and through their attorneys, Jordan Ramis PC, hereby offer this precautionary objection to the Debtor's Application for Authorization to Employ Special Purpose Counsel (the "Application to Employ") [Dkt. 655].¹ This objection is supported by the following points and authorities and the court file.

¹ This bankruptcy case is administratively consolidated with Vahan M. Dinihanian, Jr.'s bankruptcy case, 19-31886-dwh11.

The Logan Parties reserve the right to file a supplemental objection should the deadline to object be extended past noon on December 5, 2022.

OBJECTION

The Logan Parties have concerns about the Application to Employ because, as demonstrated in Exhibit 1, pg. 1 to the Application to Employ, the proposed Special Counsel is requesting a retainer of \$10,000 and the Application to Employ does not indicate from whom it will be paid. Additionally, the scope of engagement appears to request that the special counsel only advise Vahan Dinihanian Jr. regarding his personal bankruptcy, yet the application to employ refers to administrative expenses of the Debtor 15005 NW Cornell Rd. LLC as well. Each of the debtors has separate creditors and may have separate interests.

Lillian Logan is a creditor of Vahan Dinihanian Jr. individually, and Christiana LLC, Alexander LLC and Cornell Rd LLC are in the process of seeking attorney's fees based on the proposed resolution of the adversary proceeding between 15005 NW Cornell Rd LLC and Tasha L. Terharani-Ami as trustee of the Sonja Dinihanian GST Trust DTS 1/1/11, Cornell Rd LLC, Christiana LLC, and, Alexander LLC (the "Adversary Proceeding").

The issue in the Adversary Proceeding was the interpretation of a Tenancy in Common Agreement (the "TIC") which provides for attorney's fees to prevailing parties in the event of a dispute. *See* Dkt. 250-1, PDF pg. 43. Because Debtor 15005 did not prevail on its 11 U.S.C §363(h) claim in the Adversary Proceeding, which would have required the court to allow the sale of the property notwithstanding the existence of the TIC, the defendants in that Adversary Proceeding are the prevailing parties and, likely, will be entitled to attorney's fees. Thus, the defendants in the Adversary Proceeding will be creditors of 1500 NW Cornell Rd LLC.

The Application to Employ does not reference 15005 NW Cornell Rd LLC's or Vahan Dinihanian's creditors and how the negotiations will take into account the best interest of those creditors and how employment of that special counsel will benefit the creditors of the two bankruptcy estates.

CONCLUSION

For the foregoing reasons, and without waiving their rights to raise additional objections, the Logan Parties request that the court deny the Application to Employ.

DATED this 5th day of December, 2022.

JORDAN RAMIS PC

By: /s/Daniel L. Steinberg

Russell D. Garrett, OSB #882111

Daniel L. Steinberg, OSB #993690

Attorneys for Lillian Logan, Cornell Rd LLC,
Christiana LLC, and Alexander LLC

CERTIFICATE OF SERVICE

I hereby certify that on the date shown below, I electronically filed the foregoing **LOGAN PARTIES' OBJECTION TO DEBTOR'S APPLICATION TO EMPLOY SPECIAL PURPOSE COUNSEL** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Nicholas J. Henderson
Motschenbacher & Blattner, LLP
117 SW Taylor Street, Suite 300
Portland, OR 97204
Tel: (503) 417-0500
Email: nhenderson@portlaw.com
Attorneys for Debtor and Debtor-in-Possession Vahan M. Dinihanian, Jr.

U.S. Trustee
US Trustee, Portland
620 SW Main Street, #213
Portland, OR 97205

Joseph A Field
Field Jerger LLP
621 SW Morrison St Ste 510
Portland OR 97205
Email: joe@fieldjerger.com,
jenny@fieldjerger.com

Douglas R. Pahl
Perkins Coie LLP
1120 NW Couch Street, 10th Floor
Portland, OR 97209-4128
Tel: (503) 727-2000
Email: dpahl@perkinscoie.com
Attorneys for Debtor and Debtor-in-Possession 15005 NW Cornell LLC

Stephen P Arnot
DOJ-UST
620 SW Main Street, Suite 213
Portland, OR 97205
Tel: (503) 326-4004
Email: steve.arnot@usdoj.gov
Attorney for U.S. Trustee

Christopher N Coyle
Vanden Bos & Chapman LLP
319 SW Washington St Ste 520
Portland OR 97204
Email:chris@vbcattorneys.com,
ecfmail@vbcattorneys.com

Eleanor A. DuBay
Tomasi Salyer Martin
121 SW Morrison Street, Suite 1850
Portland, OR 97204

Attorneys for Interested Party Tasha L.
Teherani-Ami

Travis W Hall
Bateman Seidel et al
1000 SW Broadway Ste 1910
Portland OR 97205
Email: thall@batemanseidel.com,
bsixberry@batemanseidel.com

Erich M Paetsch
Saalfeld Griggs PC
250 Church St SE Ste 200
PO Box 470
Salem OR 97308
Email epaetsch@sglaw.com, ktate@sglaw.com

Gregory J Miner
1610 SW College St
Portland OR 97201
Email: gminer@batemanseidel.com,
bsixberry@batemanseidel.com

Bruce H Orr
Wyse Kadish LLP
900 SW Fifth Ave Ste 2000
Portland OR 97204
Email: bho@wysekadish.com,
sat@wysekadish.com; drw@wysekadish.com

Troy G Sexton
Motschenbacher & Blattner LLP
117 SW Taylor St Ste 300
Portland OR 97204
Email: tsexton@portlaw.com,

DATED this 5th day of December, 2022.

JORDAN RAMIS PC

By: /s/Daniel L. Steinberg
Russell D. Garrett, OSB #882111
Daniel L. Steinberg, OSB #993690
Attorneys for Lillian Logan, Cornell Rd LLC,
Christiana LLC, and Alexander LLC

Page 5 – LOGAN PARTIES’ OBJECTION TO
DEBTOR’S APPLICATION TO EMPLOY
SPECIAL PURPOSE COUNSEL

JORDAN RAMIS PC
Attorneys at Law
Two Centerpointe Dr., 6th Floor
Lake Oswego, Oregon 97035
Telephone: (503) 598-7070 Fax: (503) 598-7373
53110-77700 4869-8773-8946.1